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**ATTORNEYS FOR DEFENDANT  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

**NATIVE ECOSYSTEMS COUNCIL,  
ALLIANCE FOR THE WILD  
ROCKIES,**

**Plaintiffs,**

**vs.**

**MARY C. ERICKSON, Custer  
Gallatin National Forest Supervisor,  
LEANNE MARTEN, Regional  
Forester of Region One of the U.S.  
Forest Service, THOMAS L.  
TIDWELL, Chief of the U.S. FOREST**

**CV 17-53-M-DLC**

**FEDERAL DEFENDANTS'  
CROSS-MOTION FOR  
SUMMARY JUDGMENT**

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<b>SERVICE, an agency of the U.S. Department of Agriculture, and the U.S. FISH &amp; WILDLIFE SERVICE, an agency of the Department of the Interior,</b>	
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**Defendants.**

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The United States hereby moves for summary judgment in the above-captioned matter. Summary judgment is proper because, as detailed in the contemporaneously-filed memorandum and supporting materials, the disputed actions of the federal defendants' were not arbitrary and capricious or contrary to law. Plaintiffs will oppose this motion.

**DATED** this 28th day of September, 2017.

**KURT G. ALME**  
**United States Attorney**

**/s/ MARK STEGER SMITH**  
**Assistant U. S. Attorney**  
**Attorney for Defendant**

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 28th day of September, 2017, a copy of the foregoing document was served on the following person by the following means.

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\_\_\_\_\_ E-Mail

1. Clerk of Court

2. Thomas J. Woodbury  
Forest Defense, P.C.  
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Boise, Idaho 83702  
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**/s/ MARK STEGER SMITH**  
**Assistant U.S. Attorney**  
**Attorney for Defendant**